UNCENSORED AMERICAN HISTORY

THE TRUTH ABOUT CATTLE KATE

WYOMING HISTORY'S FORBIDDEN SUBJECT

THE WILD WEST STORY OF THE LEGENDARY "CATTLE KATE" (Ella Watson) and her husband, Jim Averell, exemplifies many important Revisionist issues: heroism, resistance to tyranny, ruthless moneyed interests, character assassination, a brilliant psychopathic antagonist, the murder and intimidation of witnesses, a battle between the "presstitute" and honest media, and an undying crusade for honest history. All these factors fueled an all-out war on the range between plutocrats ready to stop at nothing and regular Americans who demand the rule of truth and law.

BY MARGARET HUFFSTICKLER

Right before noon on Saturday, July 20, 1889, a beautiful, hot sunny day in the lush Sweetwater Valley of the Wyoming Territory, 28-year-old Ellen Watson and her hired hand, 15-year-old John DeCorey, were walking across the grassy fields toward her homestead, which sat on 160 acres of verdant riverside meadows (bottom land).

Ellen, sometimes called Ella, was very tall for the time at 5'8," buxom and sturdy, with auburn hair, blue eyes, and a sweet smile. She was wearing the sunbonnet that had been made for her by her neighbor, Mrs. Fales, and a dress she had made for herself on her own sewing machine—one of the few pieces of furniture in the fir log cabin Mrs. Fales's son, John, had helped her build.[1]

She was carrying her sturdy lace-up boots in her hand; on her feet were brand-new, pretty, Shoshone Indian beadwork moccasins. She and John DeCorey were taking the morning off from digging irrigation ditches, making fences and building an animal shed.

The Shoshone Indians had been camping down by the Sweetwater River. She and John had left early to walk the three miles there and back. From the Indians, she had bought these moccasins covered with white beads, with triangles of red and turquoise and bars of brown splashed across the white; they can still be seen in the Wyoming State Museum.

As Ella and John DeCorey walked northward across the pasture of their nearest neighbor, Albert John Bothwell, they could see to their left the few buildings that made up what Bothwell rather optimistically called the Town of Bothwell.

"Life had become tough over the last years for the big cattle ranchers. They had assumed that the whole state of Wyoming would be theirs forever, and a great way to become almost instant millionaires."

Ahead of them they could see her two-room cabin with its apple-green window frames and flower boxes in the windows, and, extending to the east, the fenced corral and livestock shed she and the young DeCorey had built with their own hands. Ella liked pretty things, like all women, but she also built sturdy things. She was physically very strong and practical, an ideal mate for a Wild West settler like Jim Averell.

Awaiting her at her homestead was Gene Crowder, in the corral trying to catch a loose pony. Gene was an 11-year-old boy whose father was too poor to care for him adequately. Perceiving the situation and out of pure kindness of heart, Miss Watson had taken Gene in and unofficially adopted him.

Ella obviously liked children and teenagers very much. She had been the first of 10 surviving Watson children in Canada, and with her mother down much of the time giving birth, Ella had become an experienced and caring substitute mother to many siblings.

Young Gene was now waiting at Ella's homestead as she and DeCorey were returning from their successful shopping expedition.

At the same moment, although Ellen couldn't see them yet, her neighbor Albert John Bothwell was approaching her homestead from the west with five other ranchers, armed. Since it was the weekend of the summer cattle roundup, in which all the big ranchers participated, it had been easy for him to get them all together.

Bothwell had invited them to his house for a meeting on what he had said was an urgent matter. At his urging they had ended up drinking on a Saturday morning. Tom Sun was with them in his new white-topped buggy and the others were on horseback: Ernest McLean, Robert "Captain" Galbraith, John Henry Durbin, Robert Conner and Bothwell himself.

About a mile to the southwest, Jim Averell was loading empty beer bottles into his wagon to take them north 80 miles to be refilled in the brewery in Casper. Jim, besides being the local U.S. postmaster, notary public and the local justice of the peace, ran a typical "road ranch," a combination general store and eatery for the cowboys, where he served beer. His nephew Ralph Cole, who had come from Wisconsin to visit for the summer, would look after the road ranch while Jim was gone. The young cowboy Frank Buchanan, a close friend who often helped Jim and Ellen with their work improving their homesteads, was there as well.

And finally, on the roof of one of the four buildings in the so-called town of Bothwell, the home of the newly established *Bothwell Courier,* its two journalists, H.B. Fetz, editor and J.B. Speer, assistant editor, were standing on the roof, watching with interest, binoculars already in hand, the events that were about to unfold.

* * *

Life had become tougher over the last years for the big cattle ranchers. They had assumed that the whole state of Wyoming would be theirs forever, and a great way to become almost instant millionaires. Life and wealth were relatively easy: just drive the cattle over the free federal grassland, fatten them up, and then, after the big summer roundup, all the ranchers together would drive them to the slaughterhouses

Shown above is a photograph of Ella Watson and her first husband, William Pickell. Jim Averell (Ella's second husband) and Ella worked hard, took advantage of the cheap price of good land in the Wyoming Territory and obtained legal title to a prime plot of land in the Sweetwater Valley. Local cattle barons, who believed they owned the West, were enraged to see prime cattle grazing land go to upstart homesteaders. They concocted a story that Ella had rustled the cattle she had purchased, grabbed her and Jim, bound them, hauled them off into the wilderness and lynched them. Facing page: Devil's Gate, a rock formation that would have been in view directly ahead of Jim and Ella as they were kidnapped up the Sweetwater River to the site of their lynching.

The British Beef Bonanza & the Cheyenne Club

Wyoming's capital since 1869, Cheyenne became, from the late 1870s through the 1880s, the Wild West's ultimate bastion of cattle-barony, the richest city *per capita* in the world, and undoubtedly the most *nouveau riche*. Years before Wyoming became a state, in 1890, Cheyenne boasted its own opera house, electric power throughout, and the sumptuous Cheyenne Club.

Inside the walls of this baronial sanctum, constructed in 1880, even such British-import cattlemen as Sir Horace Plunkett, Moreton Frewen and Oliver Wallop could kick back and imagine they were back in their home clubs.

Its posh fittings included two grand staircases, rooms for billiards, cards and smoking, wine vaults, a reading lounge and a plush-carpeted sitting room with red velvet floor-to-ceiling draperies. Polo and tennis were the sports of choice for the cattleocracy, and black-tie or formal military dress was *de rigueur* for dinner. Members dined on fresh oysters and imported French champagne, smoked fine Havana cigars and entertained such celebrities as Oscar Wilde and his friend, the "Jersey Lily," Lillie Langtry, an international beauty, actress, royal mistress, gold digger and, finally, California winegrower. She was famous for writing to another widow: "I too lost a husband, but alas, it was no loss."

Alexander Hamilton Swan, president of three Wyoming cattle companies, who sold out to a British limited liability company for the sum of $2,555,825, retaining for himself the $10,000 per year position of general manager, was fired when it was found that the actual number of cattle was at least 30,000 less than represented and the company had been cheated out of more than $800,000.

Swan was later quoted as saying: "In our business we are often compelled to do certain things which, to the inexperienced, seem a little crooked."

Crooked or not, until the sudden downturn in profits in the 1880s—caused by overgrazing, market glut, rampant fraud, the "Great Die-Off" (during the winter of 1886-87), and the spread of homesteaders—some British "cattle-barons" were realizing as much as a 30% to 60% return on their investment.

or to trains taking them to the slaughterhouses of Chicago or Denver. In 1881, an exuberant rancher wrote a book entitled, *The Beef Bonanza, or How to Get Rich on the Plains*—one of several that came out around 1879-1881 vaunting the endless money-making potential of the vast Wyoming plains, replete, so said the books, with "inexhaustible" grasslands, "mild climate" and "abundant water," luring investors from as far away as the British Isles.

The ranchers had their problems, though: one was that often they possessed no legal claim at all to the enormous open spaces they were using as if they were God-given to cattle barons. Trouble came with the farmer-settlers and small ranchers—often former cowboys themselves who had once worked for the cattle barons. The latter had in fact taken the trouble to file legitimate claims at the U.S. Land Office for their 160 acres per person or 320 acres per couple. They had agreed to improve the land over the course of three years: fencing in the land, diverting water through the irrigation ditches they had dug from the rivers to their fields and crops, and putting up homes, stock sheds and other structures.

All of these steps meant that every year there was less free space and less water for the cattle barons and their vast, thirsty, hungry herds, which had already started to overgraze the land by 1884, resulting in skinny herds no one wanted to buy. And even if some of the ranchers had good beef to sell, the prices, owing to a glut on the market that had begun the year before, were half what they had been in 1880.

The horrific Great Die-Off of the winter of 1886-1887, 54 straight days (in some places) of snow and unbearable cold, was the deathblow to much of the cattle baron wealth across the region. One Wyoming observer, Andy Adams, wrote about the die-off in his 1907 novel *Reed Anthony*:

> Early in January the worst blizzard in the history of the plains swept down from the north, and the poor wandering cattle were driven to the divides and frozen to death against the line fences. We were powerless to relieve the drifting cattle. The morning after the great storm, with others, I rode to a south string of fence on a divide, and found thousands of our cattle huddled against it, many frozen to death, partially through and partially hanging on the wire.
>
> We cut the fences in order to allow them to drift on to shelter, but the legs of many of them were so badly frozen that, when they moved, the skin cracked open and their hoofs dropped off. Hundreds of young steers were wandering aimlessly around on hoofless stumps, while their tails cracked and broke like icicles. In angles and nooks of the fence, hundreds had perished against the wire, their bodies forming a scaling ladder permitting late arrivals to walk over the dead and dying as they passed on with the fury of the storm.
>
> I had been a soldier and seen sad sights, but nothing to compare to this; the moaning of the cattle freezing to death would have melted a heart of adamantine. All we could do was to cut the fences and let them drift, for to halt was to die; and when the storm abated one could have walked for miles on the bodies of dead animals.

After the die-off, a disaster both for the cattle and for their barons, only the richest and toughest big ranchers had avoided the general "pull-out." They were the survivors, the "stick-it-outs." Many other ranchers and investors had gone bankrupt and had fled back East or even across the ocean to their native England, Ireland and Scotland. At this point also, many cowboys who had worked for the now-bankrupt cattle barons became by necessity independent small ranchers themselves.

The issue of water rights now became acute. For a dry state like Wyoming to grow crops, fields had to be massively irrigated (as in California). But the ranchers needed that water too for their cattle and to grow hay for them.

Put a big rancher next to a small settler, with the rancher viewing all the land and water rights as his by tradition (with or without a legal claim) and the settler brandishing his official and legal claim to the land, and you had an explosive situation. It was the survival of the most forceful, with many guns around as everywhere in the West, and very tough men on both sides. Those homesteaders who had moved thousands of miles with their hungry families to farm or run small ranches were not about to be scared off by a rancher with a dubious legal claim—or none at all—and especially not to someone who had appropriated far more land than any one human being needed.

In the case of Jim Averell and Ellen (Ella) Watson, they were very well aware of their legal rights vis-à-vis their big rancher neighbor, Albert Bothwell. They had the piece of paper, and that sufficed for them to stay.

* * *

Ellen Watson was born in 1860 in Ontario province, Canada of a Scottish father, Thomas Watson, and an Irish mother, Frances Close. Her family moved to Kansas in 1877, where Thomas filed a homestead claim. There Ellen met one William Pickell and married him in 1879. Unfortunately Pickell was a drinker and wife-beater, and in January 1883, after he used a horsewhip on her, she fled back to the safety of her parents.

She lived there for about a year, working at the farm of a wealthy neighbor as a cook and domestic.

Then, plagued by her husband's repeated attempts to get her to come back to him, she traveled to Red Cloud, Nebraska, about 14 miles away, filing for divorce on February 14, 1884, and asking for her maiden name back. Meanwhile, she obtained work again as a cook at Red Cloud's Royal Hotel. She had a reputation as an excellent preparer of meals and a hard worker; her employers were always very fond of her.

Her father later described her thus:

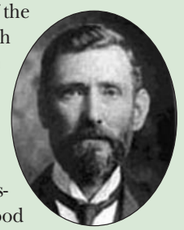
MORETON FREWEN

Among those who left Wyoming after the "Great Cattle Die-Off" of 1886-87 was a proper English dandy of noble birth, and Winston Churchill's uncle-by-marriage, Moreton Frewen (1853-1924). Owing to his unique entrepreneurial gifts, he was popularly renamed "Mortal Ruin" Reportedly, he arrived in Wyoming with 16,000 pounds sterling and departed owing 30,000 pounds. He also convinced others of the English nobility to invest in Wyoming cattle, with mixed results. Frewen is now most remembered for his log mansion on Powder River, which boasted, among other things, a solid walnut staircase. Locals called it "Frewen's Castle"; he called it "my shooting box" (hunting lodge). Here Frewen entertained the rich and famous of the British empire with lavish hunting parties until he left and it burned down.

LORD DUNRAVEN

One of those persuaded by "Mortal Ruin" to take the plunge was the infamous Lord Dunraven, a onetime European brothel owner known correctly as the Right Honorable Windham Thomas Wyndham-Quin, fourth earl of Dunraven and Mount-Earl. At 33, he embarked on a sporting adventure to Yellowstone National Park. His account of the expedition, said one source, "is delightful reading but contains very little information." Dunraven is still in ill repute for illegally homesteading 15,000 acres in the Colorado Rockies as his private "game preserve," and his ghost is still said to scare chambermaids out of the Estes Park Hotel, according to the manager. It is now part of Estes Park and Rocky Mountain and Theodore Roosevelt National Parks. A mountain man named Jim Nugent, wounded and dying, claimed the right honorable lord had him shot for his squatter's land.

HORACE CURZON PLUNKETT



Sir Horace Curzon Plunkett, third son of the 16th Lord Dunsany of Meath in then-British Ireland, was Moreton Frewen's partner in the Western Livestock and Land Company and the Powder River Cattle Company, as well as president of the Frontier Land and Cattle Company. He returned to Ireland after the disastrous winter of 1886-87. The lessons he learned in the West stood him in good stead, however, and he is now remembered as the father of Irish agriculture. For the remainder of his life he was noted for his use of cowboy metaphors.

She was a fine girl, of handsome form, strong and rugged, but modest and unassuming, with not a particle of fastness [as in "a fast woman"] in her action or disposition. Her reputation was the best and she was always considered a splendid worker.

Growing tired of waiting for her divorce to become final, she moved, toward the end of 1884—and against her parents' wishes—to Denver, Colorado, where a brother was living. Lured from there to Cheyenne, Wyoming by accurate accounts of its great wealth, she soon found that the boomtown atmosphere of Cheyenne was not to her liking. She traveled even farther west to the smaller town of Rawlins, Wyoming in late 1885, where she again obtained work as a cook and domestic, this time at the most respectable hostelry and boardinghouse in town, Rawlins House.

On February 24, 1886, she met a handsome young diner at the Rawlins House, a man named James Averell, born near her home in Ontario, who was in Rawlins to file a claim on his 160-acre homestead 60 miles to the northeast near the Sweetwater River. Immediately, the two fell for each other and began to court.

Jim had been a soldier for 10 years at various forts in Utah and Wyoming and Sgt. Averell had become a respected horseman, fighter against Indians and renegades in Montana, a telegraph builder and an excellent surveyor who knew whose land went how far. In Buffalo, Wyoming, in 1880, the 5'6" Averell, in self-defense, had shot and killed—after verbal warnings and a warning shot—a known mean-drunk cowboy, brawler and bully, the 6'2" Charlie Johnson. Averell was jailed but finally released; numerous distinguished citizens had vouched for him.

In the course of their courtship, Jim invited Ella to come live at his ranch to cook for the cowboys stopping in, charging them 50 cents per meal and keeping it all for herself. He also suggested that she too could file a homestead claim.

Ellen's divorce became final in March. In early May she and Jim drove to Landers, a small town 105 miles to the west, on the Shoshone reservation, where they filled out and signed a marriage license. Ellen signed the document "Ellen Liddy Andrews," and the third and last part of the license was left unsigned. Why the false name, the out-of-the-way location and the unsigned final section? Probably because there was a law against husbands and wives filing separate homestead claims. This way they were, to all intents and purposes, married: i.e. she could mention Jim to her folks at home as her "husband." But by leaving that last part unsigned (and keeping the whole thing secret), they could consider themselves just "engaged" until after Ella had proved on her claims. (This was in an era of much more outlandish claims by the cattle barons.) Their friends, in fact, spoke of them as being "engaged."

On June 29, 1886, Jim was appointed postmaster at the newly created Sweetwater Post Office, and he received additional appointments as a justice of the peace and as a notary public. These appointments would create additional traffic through his little restaurant and general store.

He filed on an additional 160 acres about a mile and a half from his roadranch, along Horse Creek, which fed in from the northern mountains into the Sweetwater River coming from the west. He also obtained water rights. Jim could now control the water flowing into the Sweetwater from Horse Creek. In later days he would build irrigation ditches, using early ditch-digging machines rented in Rawlins, Wyoming. This second plot of land was in the shape of an L. Ellen was homesteading the other L-shaped land next to his in order to create, jigsaw puzzle-like, a 320-acre square that they could legally control—including the Horse Creek and Sweetwater River waters that were passing through, water that Albert Bothwell had always taken for granted as his from 1883, when he had moved in and when there were no settlers. In any case, his cattle needed water in summer heat that could soar to 120 degrees, and he needed water to irrigate his huge hay meadows to the north and east. He was using the entire 100-mile Sweetwater Valley and up to the Rattlesnake Range.

Ellen filed her official homestead claim at the Land Office in Cheyenne on March 23, 1888. She and Jim together now owned those 320 acres, on probation for three years, like all claimants, with the prospect of 320 acres more for Ella under the federal Desert Land Act of 1877 and 160 more for Jim: a grand total of 640 acres on top of the 320 under the Homestead Act. This did not include Jim's "road ranch" plot. This much land was not an extravagant amount of land for a couple to farm in the nearly unpopulated West.

It was, however, "plunk in the middle" of what Bothwell considered "his" best pastureland—the lush, grassy meadows where Horse Creek coming down from the north emptied into the Sweetwater River flowing over from the west. Not only did Jim and Ella now have a real, legal claim to Bothwell's never-claimed pastureland, but also between them they had just sewn up all the water rights there.

Who Was Jim Averell?

Widely known as a very nice man, but one who could not be fooled or intimidated, Jim Averell (right) knew when he was in the right. He was a U.S. postmaster and a justice of the peace and a respected surveyor. He had been appointed to positions by the president of the United States (Grover Cleveland) and by the governor of the Wyoming Territory, Thomas Moonlight. All this gave him the confidence to write what he did (see Averell's letter on page 8)—even a seeming cockiness that provoked the ruthless local plutocrats. His murder and that of his wife Ella would eventually bring on the Johnson County War.

The setting was this: big ranchers were illegally grabbing land in the lush green Sweetwater Valley (land to which they had absolutely no legal claim). They wanted to keep the whole state as their own unpopulated grazing grounds, directly contrary to U.S. policy, which was to settle the West, not let cattle roam freely all over. The situation that occasioned his letter to the paper was that the small ranchers and farmers wanted to split off the northern section of huge Carbon County, Wyoming to make a new county, "Natrona," whose government would be more responsive to them and not in the pocket of the cattle kings—exactly, of course, what the cattle kleptocrats did not want. (Natrona County was eventually created, as James Averell advocated, on April 8, 1890.)

Meanwhile, the big cattle owners of the area had been illegally filing claims to much of the good area land. By placing movable cabins on their claims, literally "mobile homes," they dared to claim that the property had been "improved," a strict requirement of the Homestead Act of 1862. After the claim was filed, they would then place logs under the cabins and roll them on again to another homestead property, repeating the process over and over again with their rolling real estate, under various claimant names. (The cattle barons often required, as a condition of being hired, that their cowboy employees file claims in their own names as proxies for the ranch-owners).

Jim Averell, as a justice of the peace and politically aware citizen, wrote a letter to the prominent *Casper Daily Mail*, which infuriated the large cattlemen.

Furthermore, Averell, like many inhabitants of Wyoming, then and now, was an enemy of the high and mighty, and most especially of the pretentious. It was thus no surprise that his letter makes reference to Albert Bothwell's pet project, a four-building "town" that he had narcissistically named "Bothwell." (Perhaps Bothwell was imitating Alexander the Great, who founded several Alexandrias.)

It was obvious to the public that Bothwell was trying to throw his weight around with his spurious town; he had proclaimed, both in the *Bothwell Courier* (the newspaper he had bankrolled to cover the "news" in this four-building hamlet) and in brochures targeting the rich and credulous at home and abroad, that Bothwell was, yes, "the next capital of Wyoming." (Bothwell no longer exists.)

One can see from the easy style and tight reasoning of Averell's letter why he was rumored (inaccurately) to have studied at an Ivy League college back East. In fact he had completed only one year of high school; he was basically self-educated. He must have made good use of his time in the military. Clearly, judging by the letter, he was utterly fearless.

However, by signing that letter, Averell had signed his own death warrant.

JIM AVERELL'S LETTER TO *THE CASPER DAILY MAIL*

The frank letter that Jim Averell wrote to the *Casper Daily Mail* illustrates a Turkish proverb: "He who speaks the truth should have one foot in the stirrup."

We have now had some time to think the matter [of dividing Carbon County] over and listened to both sides of the question, and we find two distinct views of the matter: namely, the settlers who have come here to live and make Wyoming their homes, and the land grabber who is only here as a speculator in land under the Desert Land Act.[1]

The former are in favor of dividing Carbon County, believing it to be for the welfare and proper development of the country and the latter are opposed to the organization of Natrona County, or anything else that would settle and improve the country or make it anything but a cow pasture for Eastern speculators.

It is wonderful how much land some of the land sharks own—in their own minds—and how firmly they are organized to prevent Wyoming from being settled up. Said one high-toned land grabber: "If my name were added to your petition, it would have some weight, because I own some 15 sections of land [9,600 acres] and 58 miles of barbwire fence." In this, he advances the idea that a poor man has no say in the affairs of his country—in which he is wrong, as the future land owners of Wyoming will be the people yet to come, as most of those large tracts are so fraudulently entered now that they must ultimately change hands and give the public domain to the honest settler, and then the land will be cultivated.

What better proof do we want of Wyoming's fertility than that one acre will produce 400 bushels of potatoes or 75 bushels of the best oats in the world, and then to hear the land grabber cry out that Wyoming is a desert.

Is it not enough to see the Sweetwater River owned—or claimed—for a distance of 75 miles from its mouth by three or four men?

Said a Rawlins visitor [referring to Albert Bothwell?]: "The taxpayers of Bothwell are anything but favorable to the organization of Natrona County."

Do not be misled by the matter of the town of Bothwell. There is not one house in that town, and you can with safety say that the town of Bothwell is only a geographical expression, and its influence cannot go far against the new county organization. If something can be done to settle the county up and use the beautiful water of its many streams, which are now going to waste, have Natrona County organized.[2]

It is one of the Sweetwater land grabbers who is now opposed to the settlement of Wyoming or the organization of Natrona County.

Not wishing to disguise myself in the matter, I remain yours truly,

—JAMES AVERELL, February 7, 1889

ENDNOTES:

[1]This was an 1877 federal law to promote irrigation and agriculture on arid and semi-arid Western land; desert land-claimers got 640 acres and had three years to irrigate and start producing crops. An estimated 95% of the desert land claims were fraudulent, often made by cattle barons.

[2]Averell then demands the revocation of the Desert Land Act, and asks who is trying to force every Wyoming county to put up a huge bond for a privately owned railroad tunnel through local mountains. He means "Captain" Robert Galbraith, one of the men who would later lynch him.

That same year of 1888, in a sign of the times, the Wyoming territorial legislature, under massive pressure from the many small ranchers, repealed the controversial "maverick law" of 1884, which in effect said that any unbranded newborn calves found on the range would automatically, and outrageously, go to the Wyoming Stock Growers Association (the cattle barons).

In the fall of 1888, a passing Nebraskan was driving 28 head of footsore and run-down (hence cheap) cattle through the Sweetwater Valley. They were so ill that their owner sold them to Ellen for a mere $1 a head—better than having them die on the trail. Ellen did not know it, but this seemingly innocuous purchase would have dire consequences.

In March of the next year, 1889, she bought an already-registered brand, "LU," from small rancher John Crowder, but waited to brand the cattle, as was customary, until they had fully recovered their health, around mid-July of 1889, the time of the annual roundup. She also wanted to avoid causing "calvy" cows to miscarry by branding them, and many were in fact pregnant around this time. With so many of her cows calving, the 28 head grew to 41 by the time of the summer roundup.

Meanwhile, Albert Bothwell, accustomed to using the whole Sweetwater Valley and more as his pastureland, approached Ella Watson several times with offers to buy her out, but she refused, saying: "I prefer the land to the money."

That was not, however, the end of it. Jim Averell had sold Bothwell the water rights the latter needed, and at a low price, but water rights were sold by the year, and after several sharp exchanges between the two men, Averell had put Bothwell in his place: threaten me and I just may not allow you to renew your water rights.

This was a photo Ella staged to send to her worried parents in Kansas. She posed in one of her best "get-ups." Her horse is actually unsaddled; when she rode, it was always side-saddle, like other women.

In the midst of this reciprocal chest beating, James Averell wrote a logical, but stingingly defiant letter on February 7, 1889, to the *Casper Daily Mail*, ridiculing the big ranchers, the micro-town of Bothwell and one of Bothwell's cattle baron friends.

Averell and Watson began to discover skulls and crossbones scrawled on their doorways by Bothwell's cowboys.

On the morning of July 20, 1889, a Wyoming Stock Growers Association "stock detective," George Henderson, rode through Ella's pasture and observed her fresh "LU" brands on her little herd of 41 cattle.

Of course, from the fall of the previous year, when the original cattle had been ill, until recently, Ella had held back (for solid stock growing reasons) from branding them. But for George Henderson, who was nothing but a WSGA "enforcer" (who later would play a most sinister role), these fresh brands were all the excuse he needed to claim Ella Watson was a no-good cattle rustler.

He quickly rode to tell Bothwell what he had seen—which Bothwell welcomed as "proof" of illegal cattle branding. Seeing this phony crime as his opportunity to solve his real estate and neighbor problems, Bothwell assembled all the cattlemen who were nearby for the cattle roundup, and held a war council at his home. A number of the big ranchers wanted no part of what they were hearing and left, but five remained to hear out Bothwell. The whiskey was flowing, and the anger began building. Bothwell, in spite of being, at 35, younger than any of the other men, was in fact a natural leader, or misleader, of men.

A problem of cattle rustling did exist in Wyoming and throughout the West, although for the most part it was not committed by the respectable homesteaders who now composed much of the Wyoming population. In fact, several Wyoming cattle barons were themselves rustlers, but too powerful to lynch.

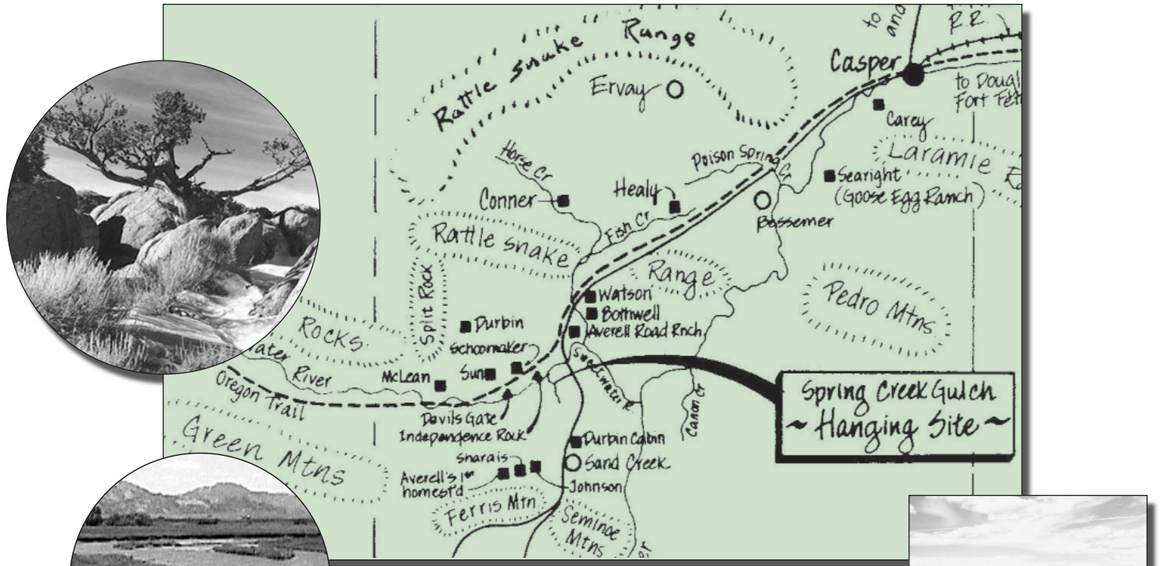
In any case, rustling was highly resented, and had been a capital offense going back to English common law. It was not overly hard to get at least some of these drinking ranchers "all fired up." Neighbor rancher Tom Sun vehemently protested the younger man's proposals, but whatever was said at this unrecorded session, Bothwell somehow prevailed. The widely respected, upstanding Tom Sun ended up going along with the others, bringing up the rear in his new white-roofed buggy.

And so we come back to the beginning: Ella Watson walking home from the Shoshone campgrounds, pleased as punch with her new moccasins, and chatting with her young hired hand John DeCorey. Over at his road ranch, Jim Averell was heaving more beer-bottle "empties" onto his wagon for the refill ride to Casper.

And six armed ranchers were approaching Ella's homestead. At this time, most Wyomingites off the range did not go armed. Within the state, it was not yet a time of blatant murder and civil war.

What happened next we hear from the 11-year-old Gene Crowder, whose interview was published two weeks later, on August 3, 1889, in the *Carbon County Journal.*

> I was at Ella's trying to catch a pony when the men rode up. John Durbin took down the wire fence and drove the cattle out while McLean and Conners kept Ella from going into the house. After a while they told her to get into the wagon and she



James Averell and Ella Watson owned 320 acres of interlocking prime bottom land on Horse Creek (right), which beef baron Bothwell considered his by mere precedent. Averell's ranch was at the confluence of this creek and the Sweetwater River (left). It was Pine Canyon where the lynchers took Averell and Watson through Spring Creek Gulch to lynch them (top left).

asked them where they were going. They told her to Rawlins.

She wanted to go into the house and change her clothes, but they would not permit her to do so and made her get into the wagon. She got in then and we all started toward Jim's.

I tried to ride around the cattle and get ahead, but Bothwell took hold of my pony's bridle and made me stay with them. I then stayed with Durbin and helped him drive the cattle and the others went ahead and met Jim, who was starting to Casper, just inside his second gate.

They made him throw up his hands and I think told him they had a warrant for his arrest, for after they made him unhitch his team, they all came up where the cattle were and Jim asked Durbin where the warrant was. Durbin and Bothwell both drew their guns on him and told him that was warrant enough.

They made Jim get in the wagon and then drove back a-ways and around the north side of the rocks. John DeCorey and I hurried down to Jim's house and told the folks there that they had taken Jim and Ella and were driving around the rocks with them.

Frank Buchanan got on a horse and followed them, and was gone several hours. When he came back, he told us they had hung Jim and Ella.

Frank Buchanan was that young cowboy friend of Jim and Ella who would lend them a hand around their homesteads and had, in fact, helped Ella brand her cattle. When interviewed, he said that when the boys Gene and John told him that "Jim and Ella" were being taken away by a mob, he got his revolver and horse and went around the west end of the rocks and saw them going toward the Sweetwater River. The ranchers and their captives drove into the ford and followed up the bed of the seasonally low Sweetwater River for about two miles, once stopping a long time in the water and arguing loudly. But he could not understand what they said.

After they came out of the river on the south side they went toward the mountains and turned into Spring Creek Gulch, which led into the timber and among the rocks. Buchanan then rode around on the south side of these rocky hills, tied his horse and crawled over to within earshot of where the party was talking.

Albert Bothwell put a rope around Jim's neck and had it tied to the limb of a scrub pine tree. He told Jim to be game and jump off the rock he was standing on. Ernest McLean was trying to put a rope around Ella's neck, but she was dodging her head so that he was not succeeding. Buchanan continues:

> I opened fire on them, but do not know whether I hit anyone or not. They turned and began shooting at me. I unloaded my revolver twice, but had to run as they were shooting at me with Winchesters. I ran to my horse and rode to the ranch and told them Jim and Ella were hung and then I started to Casper. I went through Bothwell's pasture and it was getting dark. I got lost and pulled up at Tex's ranch about three o'clock next morning. The hanging took place about 12 hours before.[2]

The lynchers had run two of their light cowboy lariats as makeshift hanging ropes over one and the same weak limb of the scrub

THE FATE OF THE SIX LYNCHERS

ALBERT BOTHWELL stayed in the Sweetwater Valley, the scene of the crime, for 20 more years, despite living in constant fear of reprisals. His only friend was Tom Sun. Bothwell put his buildings up on rollers and skidded them right onto Jim Averell's property, thereafter residing on the land of a man he'd strangled. He then rolled all Jim's and Ella's buildings over onto his original property. He built a huge enclosure on the west approach to "his" ranch, placing therein four vicious gray wolves. He would ride over to Tom Sun's ranch by a secret path, and always armed. Incredibly, both he and Tom Sun were elected by the Wyoming Stock Growers Association to its Executive Committee and served there for years.

One writer, Lester C. Hunt, said he visited, in November 1918, a shattered, grotesque Bothwell, "bereft of all human dignity" and mumbling about "that whore" and "that thief" in an insane asylum in Los Angeles. An online source—a Bothwell interested in her genealogy and aware of her relative's crime—said however that he had "unfortunately died peacefully," a satisfied psychopath, in 1928 and was buried in Glendale Cemetery next to his Los Angeles mistress.

ROBERT GALBRAITH suffered many indignities and threats to himself and his family. He moved to Little Rock, Arkansas, with the huge profits from the sale of his ranch and became a prominent banker.

ERNEST MCLEAN, facing heavy ridicule and contempt in the Sweetwater Valley, like many other lynchers, moved away and basically vanished from history.

JOHN DURBIN, the one who quickly sold off Ella's cattle, also was forced out of the valley and the whole state of Wyoming by public outrage. He moved to Denver, Colorado, where he made millions in slaughterhouses and meatpacking, and was friendly with several governors.

ROBERT CONNER hurriedly sold out (for millions) and moved back to his native Mauch Chunk (now Jim Thorpe), Pennsylvania. He succeeded in utterly concealing his Wyoming past, but it appears something had changed within him. He became the generous friend of the poor, the Red Cross and the Salvation Army, and "was very modest and retired in conversation."

TOM SUN stuck it out in the Sweetwater Valley, like Albert Bothwell. His family still lives and works at the Sun Ranch, which is one of the largest and most prestigious in Wyoming. His descendants loyally believe what their ancestor told them about Ella Watson and Jim Averell. Hopefully this article will help correct the public's understanding of this historical event.

pine. Bothwell and McLean had pushed James Averell and Ella Watson off a very low rock—a mere two-foot drop. Because their necks were not broken, and their hands had not been tied, and with the tree limb sagging earthward so that Ella's moccasined feet almost touched the ground, Jim and Ella were still quite alive and in the panic of slow strangulation. They began flailing and whirling about, bumping into each other, and desperately trying to pull themselves up the rope over their heads with their hands so as to relieve the lethal pressure. For 10 long minutes of a hideous ballet, they thrashed, jerked and spun, before the final convulsions set in.

At daybreak the next morning Ernie Mclean was sitting, hunched over and sobbing, on the front porch steps of the Bar H6 Ranch, where he was a perfect stranger. The rancher, Charlie Countryman, came out the front door that morning and found him. Hardly able to get the words out between wrenching sobs, Ernie told him what he had done. Mrs. Countryman and their six children were now in the doorway, staring at him in shock and disbelief. McLean said he just had to tell someone, to get it off his chest. The rancher quietly told him that he didn't want to hear any more, ordered him off the ranch and told him he never wanted to see him again. The humiliated McLean slunk away.

By his cool manipulations, Albert Bothwell had plunged five basically decent men into a deep cauldron of evil, and it was not yet over. Now would come the media defamation of the victims, courageous rebuttals by honest reporters, more murders, and a populist uprising by people fed up with the establishment. ❖

MARGARET HUFFSTICKLER, of Mennonite heritage, is a linguist in French, German, Spanish, Italian and Portuguese. A Revisionist writer who lives in northern Virginia, she is currently completing her doctorate in vocal music, and sings opera, Cole Porter and both American and German folk music. Miss Huffstickler thanks her good friend John Nugent for his important help with this article including interviews and archival research.

IN PART TWO, HELL BREAKS LOOSE IN THE SWEETWATER VALLEY; *in Casper, a grim posse forms against the ranchers; newspapers statewide duel it out over "Cattle Kate"; key witnesses start "disappearing"; the lynchers and their rich friends wheel and deal to subvert justice; small ranchers and farmers statewide seethe; and Wyomingites begin going around armed at all times. Meanwhile, a courageous Chicago journalist quits his job, travels to Wyoming to investigate for himself, and uncovers shocking new developments. The stage is set for the all-out homesteader-cattle baron conflict known as the "Johnson County War" or the "Wyoming Civil War" to be covered in an upcoming issue.*

ENDNOTES:

[1]Now in the possession of her great-nephew Daniel Watson Brumbaugh, a "Cattle Kate" Revisionist.

[2]Source: Daniel Watson Brumbaugh, Ella's great-nephew.

BIBLIOGRAPHY:

NON-FILMS:

Mercer, Asa S., *Banditti of the Plains, Or the Cattlemen's Invasion of Wyoming,* 1976 edition available from Amazon.com, was written in 1894, shortly after the end of the "Cattle Kate"-Johnson County War era; the book, incredibly, was banned in Wyoming that same year and is still difficult to find in public libraries in some parts of the western United States. Mercer had come to Cheyenne, bastion of the cattle barons, to edit the *North West Live Stock Journal,* the official PR publication of their Wyoming Stock Growers Association (WSGA). Horrified by the murders committed by the barons, he turned against them at the risk of his own life; his newspaper office was burned down during the subsequent Johnson County War. (The human dynamo Mercer, in 1861, had previously been one of the founders of Seattle, Washington, and had brought his "Mercer's Maidens" from Lowell, Massachusetts to Seattle, then a city nearly without women. Many of today's Seattleites are descended from his benefaction.)

Hufsmith, George W., *The Wyoming Lynching of Cattle Kate,* High Plains Press, Glendo, Wyoming, 1993, 367 pp. This book is the classic exposé in book form of the truth about Ella Watson and Jim Averell. Replete with photos, maps, and extensive quotations from original sources, and written by one of Wyoming's most distinguished men (he composed the opera "Sweetwater Lynching," which was Wyoming's official contribution to the 1976 American Bicentennial Celebration), this book is a must-read. It can be ordered through major bookstores.

Daniel Watson Brumbaugh's extensive, photo- and detail-rich website "The Lynching of My Great-Aunt," is found online at *http://www.geocities.com/Pentagon/Bunker/2555/aunt.html.* Brumbaugh, a former Marine out for truth and the honor of his family, and well-acquainted with the great Hufsmith, has scoured Wyoming and all the key sites of the Watson-Averell drama, and since the time of George Hufsmith's book has added even more, newer and corrected facts in many online pages of easy-to-digest text.

FILMS:

At least three major Hollywood movies refer or allude to the Ella Watson ("Cattle Kate") and Jim Averell story, changing or modifying their names. Unfortunately, all three support the lynchers' defaming justifications, which, as great-nephew Daniel Watson Brumbaugh has put it, must have seemed "juicier" for Hollywood than the truth about their wholesome lives, values, activities and incredible courage. The latter three can easily be obtained on video.

(Eleanor Hufsmith informs these writers that her late husband turned down two Hollywood studio offers over liberties they wanted to take with her husband's book.)

"The Redhead from Wyoming" with Maureen O'Hara (1953);

"Heaven's Gate" (1982) with Kris Kristofferson; considered by many to be the worst major movie ever made by Hollywood, and considering the truth about Jim and Ella, its version is the most reprehensible; the gods willed that it lose $44 million.

The Hallmark television movie "Johnson County War" (2001) with Tom Berenger, Luke Perry, Rachel Ward and Burt Reynolds. This movie deals with both "Cattle Kate" and what it led to—the "Wyoming Civil War" of 1892. The movie can truly be heartily recommended for an excellent script and outstanding acting by all involved; the script does use the outrageous version of the "Cattle Kate" legend (Did the producers even know about the Revisionist version of events?), but they portray "Cattle Kate" ("Queenie") and her husband "Avery" as undeserving of a lynching. "Johnson County War" can be heartily recommended for its searing atmosphere, relative accuracy about some of the events, the heroism it accurately depicts, and some well-done romantic relationships within the context of a brewing civil war.

The great Western classic "Shane" (1953) with Alan Ladd has no "Cattle Kate" allusions, but showcases a very modified and unforgettable Bothwell type ("Ryker") who symbolizes the ruthless cattle barons out to chase off or kill the homesteaders. Very highly recommended on its many merits.

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